

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL WRIT PETITION NO.1677 OF 2003

Anant Baban Choudhary : Petitioner.

versus

The State of Maharashtra : Respondent.

Mr.Jayesh B. Kocheta for the petitioner.

Smt.V.R.Bhosale, APP, for the State.

CORAM : D.G.DESHPANDE

DATED : MARCH 18, 2006.

P.C.

1. This writ petition is filed by a person who claims to be a husband of prosecutrix. He was charge sheeted for kidnapping the said girl Triveni. According to him, he has married Triveni and no case of kidnapping could be alleged to proceed against him. His application for discharge was rejected. He filed Revision before the Sessions Judge, Pune. Same was

dismissed. Hence this petition.

2. The counsel for the petitioner contended that the petitioner/husband has filed proceedings for restitution of conjugal rights. In that proceedings, the wife has filed her reply or written statement denying matrimonial relationship. In this view of the matter, it is better for the petitioner to contest the matter before the trial Court, prove his defence if he wants to do so and get acquittal. There is no merit in this petition. It is dismissed.

[D.G.DESHPANDE]